

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**VINCENT BROCOLI,  
a/k/a Vince,  
a/k/a Matthew Dehart,  
a/k/a Bunch Media,  
a/k/a Bunch Marketing,**

**Defendant.**

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: **Case No. 2:19-cr-0194**  
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: **CHIEF JUDGE ALGENON L. MARBLEY**

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**ORDER**

This matter is before the Court on Defendant Vincent Brocoli's Motion to Be Released to Home Confinement, which was filed on July 26, 2021 (ECF No. 63), and an Unopposed Motion to Modify the Conditions of Release (ECF No. 66). For the following reasons, the Court **DENIES** the Motion to Be Released to Home Confinement and **GRANTS** the Motion to Modify the Conditions of Release.

Mr. Brocoli's Motion to Be Released to Home Confinement ("Home Confinement Motion") follows this Court's June 14, 2021 Opinion and Order, which granted in part Mr. Brocoli's motion for compassionate release ("Compassionate Release Order"). The Court declined to place Mr. Brocoli on home confinement, and instead ordered Mr. Brocoli to serve a term of up to 6 months at the Alvis House, as directed by the United States Probation Office. (ECF No. 61 at 10). In analyzing the § 3553 sentencing factors fully, the Court found that allowing Mr. Brocoli to complete his sentence "[u]nder the supervision of a halfway house with guaranteed mental health services" would enable him to "complete his sentence in a manner that better comports with his

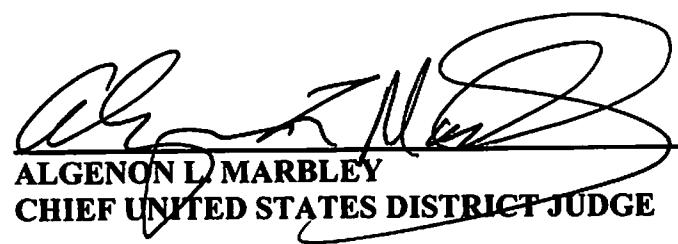
needs without creating significant sentencing disparities." (*Id.* at 9–10). Mr. Brocoli did not address the sentencing factors in his Home Confinement Motion, nor did he offer any new facts that changes the Court's previous analysis. For these reasons, the Court **DENIES** Mr. Brocoli's Motion to Be Released to Home Confinement. (ECF No. 63).

After Mr. Brocoli filed his Home Confinement Motion, the Court appointed CJA counsel in this matter. Mr. Brocoli's CJA-appointed attorney, Mr. Alan Pfeuffer, submitted an Unopposed Motion to Modify Conditions of Release on August 19, 2021. (ECF No. 66). Through counsel, Mr. Brocoli requests that he serve the remainder of his halfway house term in Baltimore, Maryland. Mr. Brocoli highlights that he has no ties to Columbus, Ohio, besides the fact that the victim of his offense resides in the Southern District of Ohio. Conversely, Mr. Brocoli has significant ties to Baltimore, including a family support system who can visit him during the remainder of his incarceration and help ensure his successful transition out of incarceration when his sentence concludes. The Government does not oppose Mr. Brocoli's transfer.

Accordingly, the Court **GRANTS** the Motion to Modify Conditions of Release. (ECF No. 66). Mr. Brocoli is to be **TRANSFERRED** to the Volunteers of America halfway house at 5000 East Monument Street, Baltimore, MD 20215 as soon as the facility has a bed that can accommodate Mr. Brocoli. The Court hereby **STAYS** this Order until a bed becomes available at Volunteers of American in Baltimore, Maryland. Until that time, Mr. Brocoli is to remain in the custody of the Bureau of Prisons at the Alvis House.

Finally, Mr. Brocoli's Motion to Seal Document (ECF No. 64) is also before the Court. Mr. Brocoli asks the Court to seal his previous letter to the Court, which was docketed on January 11, 2021, due to the sensitive nature of its content. (ECF No. 48). For good cause shown, the Court **GRANTS** Mr. Brocoli's request.

**IT IS SO ORDERED.**



ALGENON L. MARBLEY  
CHIEF UNITED STATES DISTRICT JUDGE

**DATED: October 8, 2021**